

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA and the STATE OF  
NEW YORK *ex rel.* J. Doe,

Plaintiffs/Realtor,

-v-

PUBLIC HEALTH SOLUTIONS,

Defendant.

16 Civ. 6029 (PAE) (KNF)

ORDER OF DISMISSAL

PAUL A. ENGELMAYER, District Judge:

The complaint in this case was unsealed on October 26, 2020. Dkts. 11–12. On March 1, 2020, the Court issued an order to show cause why this action should not be dismissed for failure to prosecute because plaintiffs had failed to serve the Summons and Complaint within the 90-day period required by Rule 4(m) of the Federal Rules of Civil Procedure. Dkt. 13. The Court’s March 1, 2021 order to show cause advised that if the Court did not receive any written communication from plaintiffs by March 15, 2021, showing good cause why such service was not made within 120 days, the Court would dismiss the claims against the defendant. The Court has not received any written communication from plaintiffs since the Court’s order to show cause.

Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court’s inherent power, see *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for plaintiffs’ failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Paul A. Engelmayer

Paul A. Engelmayer  
United States District Judge

Dated: March 17, 2021  
New York, New York